

Donald J. Verfurth (SBN: 066480)
dverfurth@grsm.com
GORDON REES SCULLY MANSUKHANI, LLP
701 5th Avenue, Suite 2100
Seattle, WA 98104
Telephone: (206) 695-5111
Facsimile: (206) 689-2822
Attorneys for Defendant

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

TRAVIS BATTEN,

Plaintiff,

v.

STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY; ILLINOIS NATIONAL
INSURANCE COMPANY and COUNTRY
PREFERRED INSURANCE COMPANY,

Defendants.

NO.

DECLARATION OF DONALD J.
VERFURTH IN SUPPORT OF
NOTICE OF REMOVAL

(DIVERSITY)

(Clerk's Action Required)

I, Donald J. Verfurth, declare as follows:

1. Illinois National Insurance Company ("Illinois National") retained me to defend it in the action entitled above, which was filed in Multnomah County Circuit Court, Case No. 18CV10107.

2. I make this declaration in support of Illinois National's removal of this lawsuit to the U.S. District Court, for the District of Oregon, and I am competent to testify to the matters

herein.

3. On March 20, 2018, Illinois National was served with the Complaint in the matter entitled *Travis Batten v. State Farm Mutual Automobile Insurance Company; Illinois National Insurance Company and Country Preferred Insurance Company*, Multnomah County Circuit Court, Case No. 18CV10107. A true and correct copy of the Summons, Complaint, and all other documents filed with the state court to this date are attached hereto as Exhibits A through H.

4. I have reviewed the Complaint filed by Plaintiff Travis Batten (“Plaintiff”) against Defendants Illinois National, State Farm Mutual Automobile Insurance Company (“State Farm”), and Country Preferred Insurance Company (“Country Preferred”) (collectively referred to as “Defendants”). In the Complaint, Plaintiff alleges that Plaintiff is an insured under Defendants’ respective policies of insurance and that Defendants breached their insurance contracts concerning uninsured / underinsured motor vehicle benefits. Plaintiff seeks damages of at least \$4,000,000 in the Complaint.

5. Based on information and belief:

- a. Plaintiff is an Oregon citizen.
- b. Defendant Illinois National is an Illinois corporation, with its principal place of business in New York, New York.
- c. Defendant State Farm is an Alabama corporation, with its principal place of business in Bloomington, Illinois.
- d. Defendant Country Preferred is an Arkansas corporation, with its principal place of business in Little Rock, Arkansas.

6. The exhibits attached hereto as Exhibits A through H constitute all of the process and pleadings in the Multnomah County Circuit Court action to date.

7. Based upon the court filings to date in the state court, it does not appear that any attorneys have appeared on behalf of Defendants State Farm or Country Preferred.

8. However, based upon telephone conversations that my office has had with representatives of both State Farm and Country Preferred, I have learned that State Farm has retained Oregon attorney Ralph Spooner and Country Preferred has retained Oregon attorney Donald Templeton to represent them in the above-captioned matter.

9. On April 3, 2018, counsel for Country Preferred, Donald Templeton, advised my office that Country Preferred consents to this Notice of Removal.

10. On April 5, 2018, counsel for State Farm, Ralph Spooner, advised my office that State Farm consents to this Notice of Removal.

I HEREBY DECLARE THAT THE ABOVE STATEMENT IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT I UNDERSTAND IT IS MADE FOR USE AS EVIDENCE IN COURT AND IS SUBJECT TO PENALTY FOR PERJURY.

Dated: April 19, 2018.

By: /s/ Donald J. Verfurth
Donald J. Verfurth, OSB #066480
Attorney For: Defendant Illinois National
Insurance Company

DECLARATION OF SERVICE

I hereby declare, under penalty of perjury under the laws of Washington and Oregon, that on April 19, 2018, I filed the foregoing using the Court's ECF filing system and also served a copy of the foregoing via Federal Express, overnight delivery, on the following parties:

Michael Brian, OSB No. 710309
Brian Law Firm PLLC
1611 E. Barnett Road
Medford, OR 97504
Tel: (541) 772-1334
Email: michael@brianlawfirm.com
Attorney for Plaintiff

/s/ Francine M. Artero

Francine M. Artero, Legal Assistant
Gordon Rees Scully Mansukhani, LLP
701 Fifth Avenue, Suite 2100
Seattle, WA 98104
Phone: (206) 695-5100
Facsimile: (206) 689-2822
fartero@grsm.com

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MULTNOMAH

TRAVIS BATTEN,

Plaintiff,

vs.

STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY; ILLINOIS
NATIONAL INSURANCE COMPANY and
COUNTRY PREFERRED INSURANCE
COMPANY,

Defendants.

Case No.

COMPLAINT

(BREACH OF CONTRACT – UM/UIM
BENEFITS)

Not Subject to Mandatory Arbitration

Jury Trial Requested

Amount Prayed For: \$4,000,000.00
(\$30,000.00 as to Country Preferred Insurance
Company)

Fee Authority: ORS 21.160(1)(d)

Plaintiff alleges:

1.

State Farm Mutual Automobile Insurance Company (State Farm) is an insurance company licensed to do business in Oregon and doing business in Multnomah County, Oregon. Illinois National Insurance Company (Illinois National) is an insurance company doing business in Multnomah County, Oregon, including the delivery in Multnomah County, Oregon to Erickson Incorporated of Illinois National Policy No. 06-CA-069970462-0. Erickson Incorporated is the named insured in Illinois Policy No. 06-CA-069970462-0. Country Preferred Insurance Company (Country) is an insurance company licensed to do business in Oregon and doing business in Multnomah County, Oregon.

///

///

2.

On October 31, 2017, Travis Batten (Batten), a resident of Oregon, was a passenger in a rental motor vehicle on U.S. Highway 90 near the intersection of Maloney Lane in St. Charles Parrish, Louisiana. The rental motor vehicle in which Batten was a passenger was not available for his regular use. The vehicle in which Batten was a passenger was in a vehicle collision with a motor vehicle driven by Justin Griffin (Griffin). Batten was seriously injured in the collision.

As a result of the collision, Batten suffered the following injuries, some of which are permanent:

- a. Closed fracture of proximal tibial plateau and closed fracture of distal femur of the right leg with surgical repair;
- b. Multiple rib fractures with surgical repair;
- c. Chest contusion, including injury to lungs;
- d. Respiratory failure;
- e. Sternal fracture;
- f. Contusion of abdominal wall;
- g. Fracture of distal fibula of left leg;
- h. Damage to multiple teeth.

3.

Griffin was negligent in causing the vehicle collision described in paragraph 2 in one or more of the following ways:

- a. Driving the wrong way on the highway;
- b. Failing to maintain a proper lookout; and
- c. Choosing to drive or continue to drive when he was probably not capable of driving safely.

///

1 4.

2 As a result of the vehicle collision of October 31, 2017, Batten, based on information
3 and belief, has and will suffer economic damages for reasonable and necessary medical
4 expenses and impaired earning capacity of \$2,000,000.00. As a result of the vehicle collision
5 of October 31, 2017, Batten has and will suffer pain and inability to engage in his usual
6 activities to his non-economic damages of \$2,000,000.00.

7 5.

8 State Farm Auto Policy Nos. 110 5075-511-37A, 065 0652-F10-37C and 274 2245-
9 A12-37E were in force on October 31, 2017 and provided uninsured/underinsured motorist
10 benefits (UM/UIM) to Batten as a result of the injuries Batten suffered in the collision of
11 October 31, 2017. Based on the State Farm policies, the motor vehicle driven by Griffin was
12 an uninsured motor vehicle.

13 6.

14 Batten has performed his obligations required by each of the State Farm policies to
15 receive UM/UIM benefits. State Farm has breached its obligations under the policies by
16 failing to pay Batten UM/UIM benefits, to Batten's damage, in the amount of \$4,000,000.00,
17 or such amount as determined to be appropriate. Based on ORS 742.061, Batten will be
18 entitled to reasonable attorney fees from State Farm.

19 7.

20 Illinois National Policy No. 06-CA-069970462-0 was in force on October 31, 2017
21 and provided uninsured/underinsured motorist benefits to Batten as a result of the injuries
22 Batten suffered in the collision of October 31, 2017. Based on the Illinois National policy,
23 the motor vehicle driven by Griffin was an uninsured motor vehicle.

24 8.

25 Batten has performed his obligations required by the Illinois National policy to receive
26 UM/UIM benefits. Illinois National has breached its obligations under the policy by failing

1 to pay Batten UM/UIM benefits, to Batten's damage, in the amount of \$4,000,000.00 or such
 2 amount as determined to be appropriate. Based on ORS 742.061, Batten will be entitled to
 3 reasonable attorney fees from Illinois National.

4 9.

5 Country Policy No. P36A4881098 was in force on October 31, 2017 and provided
 6 uninsured/underinsured motorist benefits to Batten as a result of the injuries Batten suffered
 7 in the collision of October 31, 2017. Based on the Country policy, the motor vehicle driven
 8 by Griffin was an uninsured motor vehicle.

9 10.

10 Batten has performed his obligations required by the Country policy to receive
 11 UM/UIM benefits. Country has breached its obligations under the policy by failing to pay
 12 Batten UM/UIM benefits, to Batten's damage, in the amount of \$4,000,000.00 or such
 13 amount as determined to be appropriate, but no more than \$50,000.00. Based on ORS
 14 742.061, Batten will be entitled to reasonable attorney fees from Country.

15 WHEREFORE, Travis Batten prays for judgment against State Farm Mutual
 16 Automobile Insurance Company, Illinois National Insurance Company and Country Preferred
 17 Insurance Company in the amount of \$4,000,000.00, or such amount as determined to be
 18 appropriate, but no more than \$50,000.00 as to Country Preferred Insurance Company, and
 19 reasonable attorney fees from State Farm Mutual Automobile Insurance Company, Illinois
 20 National Insurance Company and Country Preferred Insurance Company.

21
 22 DATE: 3/15/18.

23 BRIAN LAW FIRM LLC

24 Michael Brian
 25 Michael Brian, OSB No. 710309
 26 michael@brianlawfirm.com; fax - 541-770-5560
 Attorney for Plaintiff Travis Batten

3/27/2018 2:42 PM
18CV10107**AFFIDAVIT OF SERVICE**

State of Oregon

County of MULTNOMAH

CIRCUIT Court

Case Number: 18CV10107

Plaintiff:

TRAVIS BATTEN

vs.

Defendant:

STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY, et al.

Received by Conner Process Service to be served on ILLINOIS NATIONAL INSURANCE COMPANY c/o CORPORATION SERVICE COMPANY, REGISTERED AGENT, 1127 BROADWAY STREET NE, SUITE 310, SALEM, OR 97301.

I, Karlene Gander, being duly sworn, depose and say that on the 20th day of March, 2018 at 1:05 pm, I:

Served ILLINOIS NATIONAL INSURANCE COMPANY c/o CORPORATION SERVICE COMPANY, REGISTERED AGENT pursuant to ORCP 7D(3)(b) by delivering a true copy of the Summons and Complaint to SHARON WALLS, SERVICE OF PROCESS TECHNICIAN, person in charge of the office who is authorized to accept service at 1127 BROADWAY STREET NE, SUITE 310, SALEM, OR 97301.

I certify that I was and now am a competent person, over the age of 18 years, and a resident of the State of Oregon or the state of service. I am not a party to nor an officer, director or employee of, nor attorney for any party, corporate or otherwise and I know that the person, firm or corporation served is the identical one named in the action.

I also certify that the above statement is true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and is subject to penalty for perjury.

Subscribed and Sworn to before me on the 22nd day of March, 2018 by the affiant who is personally known to me.

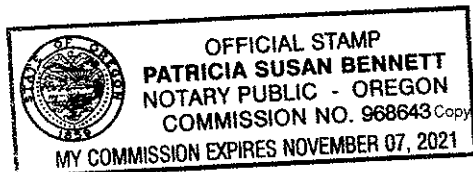
Patricia S. Bennett
NOTARY PUBLIC

Karlene Gander

Karlene Gander
Process Server

Conner Process Service
P.O. Box 1405
Medford, OR 97501
(541) 951-9357

Our Job Serial Number: PAT-2018000772
Ref: 18-022694



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IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MULTNOMAH

TRAVIS BATTEN,

Plaintiff,

vs.

STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY; ILLINOIS
NATIONAL INSURANCE COMPANY and
COUNTRY PREFERRED INSURANCE
COMPANY,

Defendants.

Case No. 18 CV 10107

SUMMONS

**TO: Illinois National Insurance Company
c/o Corporation Service Company, Registered Agent
1127 Broadway Street, NE, Ste. 310
Salem, OR 97310**

You are hereby required to appear and defend the COMPLAINT filed against you in the above-entitled action within thirty (30) days from the date of service of this Summons upon you, and in case of your failure to do so, for want thereof, Plaintiff will apply to the court for the relief demanded in the Complaint.

NOTICE TO THE DEFENDANT: READ THESE PAPERS CAREFULLY!

You must "appear" in this case or the other side will win automatically. To "appear" you must file with the court a legal paper called a "motion" or "answer." The "motion" or "answer" must be given to the court clerk or administrator within 30 days along with the required filing fee. It must be in proper form and have proof of service on the Plaintiff's attorney or, if the Plaintiff does not have an attorney, proof of service upon the Plaintiff.

If you have any questions, you should see an attorney immediately. If you need help in finding an attorney, you may call the Oregon State Bar's Lawyer Referral Service at (503) 684-3763 or toll-free in Oregon at (800) 452-7636.



Michael Brian, OSB No. 710309
Attorney for Plaintiff
1611 E. Barnett Road, Medford, OR 97504
(541) 772-1334

STATE OF OREGON)
) ss.
COUNTY OF JACKSON)

I, the undersigned attorney of record for the Plaintiff, certify that the foregoing is an exact and complete copy of the original Summons in the above-entitled action.

Michael Brian, OSB No. 710309

3/27/2018 2:42 PM

18CV10107

AFFIDAVIT OF SERVICE

State of Oregon

County of MULTNOMAH

CIRCUIT Court

Case Number: 18CV10107

Plaintiff:

TRAVIS BATTEN

vs.

Defendant:

STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY, et al.

Received by Conner Process Service to be served on **STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY c/o CORPORATION SERVICE COMPANY, REGISTERED AGENT, 1127 BROADWAY STREET NE, SUITE 310, SALEM, OR 97301.**

I, Karlene Gander, being duly sworn, depose and say that on the **20th day of March, 2018** at **1:05 pm, I:**

Served **STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY c/o CORPORATION SERVICE COMPANY, REGISTERED AGENT** pursuant to ORCP 7D(3)(b) by delivering a true copy of the **Summons and Complaint** to **SHARON WALLS, SERVICE OF PROCESS TECHNICIAN**, person in charge of the office who is authorized to accept service at **1127 BROADWAY STREET NE, SUITE 310, SALEM, OR 97301.**

I certify that I was and now am a competent person, over the age of 18 years, and a resident of the State of Oregon or the state of service. I am not a party to nor an officer, director or employee of, nor attorney for any party, corporate or otherwise and I know that the person, firm or corporation served is the identical one named in the action.

I also certify that the above statement is true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and is subject to penalty for perjury.

Subscribed and Sworn to before me on the 22nd day of March, 2018 by the affiant who is personally known to me.

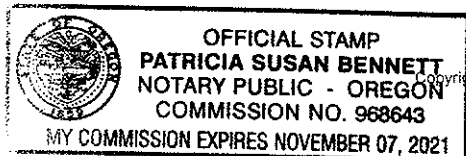
Patricia S. Bennett
NOTARY PUBLIC

K. Gander

Karlene Gander
Process Server

Conner Process Service
P.O. Box 1405
Medford, OR 97501
(541) 951-9357

Our Job Serial Number: PAT-2018000771
Ref: 18-022695



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IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MULTNOMAH

TRAVIS BATTEN,

Plaintiff,

vs.

STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY; ILLINOIS
NATIONAL INSURANCE COMPANY and
COUNTRY PREFERRED INSURANCE
COMPANY,

Defendants.

Case No. 18 CV 10107

SUMMONS

**TO: State Farm Mutual Automobile Insurance Company
c/o Corporation Service Company, Registered Agent
1127 Broadway Street, NE, Ste. 310
Salem, OR 97310**

You are hereby required to appear and defend the COMPLAINT filed against you in the above-entitled action within thirty (30) days from the date of service of this Summons upon you, and in case of your failure to do so, for want thereof, Plaintiff will apply to the court for the relief demanded in the Complaint.

NOTICE TO THE DEFENDANT: READ THESE PAPERS CAREFULLY!

You must “appear” in this case or the other side will win automatically. To “appear” you must file with the court a legal paper called a “motion” or “answer.” The “motion” or “answer” must be given to the court clerk or administrator within 30 days along with the required filing fee. It must be in proper form and have proof of service on the Plaintiff’s attorney or, if the Plaintiff does not have an attorney, proof of service upon the Plaintiff.

If you have any questions, you should see an attorney immediately. If you need help in finding an attorney, you may call the Oregon State Bar’s Lawyer Referral Service at (503) 684-3763 or toll-free in Oregon at (800) 452-7636.



Michael Brian, OSB No. 710309

Attorney for Plaintiff

1611 E. Barnett Road, Medford, OR 97504
(541) 772-1334

STATE OF OREGON)
) ss.
COUNTY OF JACKSON)

I, the undersigned attorney of record for the Plaintiff, certify that the foregoing is an exact and complete copy of the original Summons in the above-entitled action.

Michael Brian, OSB No. 710309

3/27/2018 2:42 PM

18CV10107

AFFIDAVIT OF SERVICE

State of Oregon

County of MULTNOMAH

CIRCUIT Court

Case Number: 18CV10107

Plaintiff:

TRAVIS BATTEN

vs.

Defendant:

STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY, et al.

Received by Conner Process Service to be served on **COUNTRY PREFERRED INSURANCE COMPANY c/o CORPORATION SERVICE COMPANY, REGISTERED AGENT, 1127 BROADWAY STREET NE, SUITE 310, SALEM, OR 97301.**

I, Karlene Gander, being duly sworn, depose and say that on the **20th day of March, 2018 at 1:05 pm, I:**

Served **COUNTRY PREFERRED INSURANCE COMPANY c/o CORPORATION SERVICE COMPANY, REGISTERED AGENT** pursuant to ORCP 7D(3)(b) by delivering a true copy of the **Summons and Complaint** to **SHARON WALLS, SERVICE OF PROCESS TECHNICIAN**, person in charge of the office who is authorized to accept service at **1127 BROADWAY STREET NE, SUITE 310, SALEM, OR 97301.**

I certify that I was and now am a competent person, over the age of 18 years, and a resident of the State of Oregon or the state of service. I am not a party to nor an officer, director or employee of, nor attorney for any party, corporate or otherwise and I know that the person, firm or corporation served is the identical one named in the action.

I also certify that the above statement is true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and is subject to penalty for perjury.

Subscribed and Sworn to before me on the 22nd day of March, 2018 by the affiant who is personally known to me.

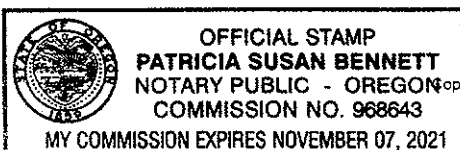
Patricia S. Bennett
NOTARY PUBLIC

K. Gander

Karlene Gander
Process Server

Conner Process Service
P.O. Box 1405
Medford, OR 97501
(541) 951-9357

Our Job Serial Number: PAT-2018000773
Ref: 18-022696



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IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MULTNOMAH

TRAVIS BATTEN,

Plaintiff,

vs.

STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY; ILLINOIS
NATIONAL INSURANCE COMPANY and
COUNTRY PREFERRED INSURANCE
COMPANY,

Defendants.

Case No. 18 CV 10107

SUMMONS

**TO: Country Preferred Insurance Company
c/o Corporation Service Company, Registered Agent
1127 Broadway Street, NE, Ste. 310
Salem, OR 97310**

You are hereby required to appear and defend the COMPLAINT filed against you in the above-entitled action within thirty (30) days from the date of service of this Summons upon you, and in case of your failure to do so, for want thereof, Plaintiff will apply to the court for the relief demanded in the Complaint.

NOTICE TO THE DEFENDANT: READ THESE PAPERS CAREFULLY!

You must "appear" in this case or the other side will win automatically. To "appear" you must file with the court a legal paper called a "motion" or "answer." The "motion" or "answer" must be given to the court clerk or administrator within 30 days along with the required filing fee. It must be in proper form and have proof of service on the Plaintiff's attorney or, if the Plaintiff does not have an attorney, proof of service upon the Plaintiff.

If you have any questions, you should see an attorney immediately. If you need help in finding an attorney, you may call the Oregon State Bar's Lawyer Referral Service at (503) 684-3763 or toll-free in Oregon at (800) 452-7636.

Michael Brian

Michael Brian, OSB No. 710309

Attorney for Plaintiff

1611 E. Barnett Road, Medford, OR 97504

(541) 772-1334

STATE OF OREGON)
) ss.
COUNTY OF JACKSON)

I, the undersigned attorney of record for the Plaintiff, certify that the foregoing is an exact and complete copy of the original Summons in the above-entitled action.

Michael Brian, OSB No. 710309

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MULTNOMAH

TRAVIS BATTEN,

Plaintiff,

vs.

STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY; ILLINOIS
NATIONAL INSURANCE COMPANY and
COUNTRY PREFERRED INSURANCE
COMPANY,

Defendants.

Case No. 18 CV 10107


NOTICE OF INTENT TO APPLY FOR
DEFAULT (ORCP 69)

**TO: Defendant Country Preferred Insurance Company and its attorney,
Donald E. Templeton**

NOTICE IS HEREBY GIVEN that, based upon ORCP 69, Plaintiff will apply to the
Court for an Order of Default against Defendant, Country Preferred Insurance Company, on
April 23, 2018, which is more than 10 days from the date of this Notice.

DATE: 4/4/18.

BRIAN LAW FIRM LLC



Michael Brian, OSB No. 710309
michael@brianlawfirm.com; fax - 541-770-5560
Attorney for Plaintiff Travis Batten

CERTIFICATE OF SERVICE

I hereby certify that on 4/4/18, I served a true and correct copy of
NOTICE OF INTENT TO APPLY FOR DEFAULT (ORCP 69) by the method indicated
below and addressed to the following person(s):

Donald E. Templeton
Dunn Carney Allen
851 SW 6th Ave., Ste. 1500
Portland, OR 97204
Attorney for Defendant Country Preferred Insurance Company
Ph – 503-224-6440
Fax – 503-224-7324
E-Mail – dtempleton@dunncarney.com

_____	HAND DELIVERY
_____	U.S. MAIL
_____	EMAIL
<u> x </u>	FAX



Michael Brian, OSB No. 710309
michael@brianlawfirm.com; fax – 541-770-5560
Attorney for Plaintiff Travis Batten

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MULTNOMAH

TRAVIS BATTEN,

Plaintiff,

vs.

STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY; ILLINOIS
NATIONAL INSURANCE COMPANY and
COUNTRY PREFERRED INSURANCE
COMPANY,

Defendants.

Case No. 18 CV 10107

NOTICE OF INTENT TO APPLY FOR
DEFAULT (ORCP 69)

TO: Defendant Illinois National Insurance Company and its attorney, Donald J. Verfurth

NOTICE IS HEREBY GIVEN that, based upon ORCP 69, Plaintiff will apply to the Court for an Order of Default against Defendant, Illinois National Insurance Company, on April 24, 2018, which is more than 10 days from the date of this Notice.

DATE: 4/12/18.

BRIAN LAW FIRM LLC




Michael Brian, OSB No. 710309
michael@brianlawfirm.com; fax - 541-770-5560
Attorney for Plaintiff Travis Batten

CERTIFICATE OF SERVICE

I hereby certify that on 4/12/18, I served a true and correct copy of
NOTICE OF INTENT TO APPLY FOR DEFAULT (ORCP 69) by the method indicated
below and addressed to the following person(s):

Donald J. Verfurth
Gordon & Rees
701 Fifth Avenue, Ste. 2100
Seattle, WA 98104
Attorney for Illinois National Insurance Company
Ph – 206-695-5100
Fax – 206-689-2822
E-Mail - dverfurth@grsm.com

____ HAND DELIVERY
____ U.S. MAIL
____ EMAIL
 X FAX



Michael Brian, OSB No. 710309
michael@brianlawfirm.com; fax – 541-770-5560
Attorney for Plaintiff Travis Batten

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MULTNOMAH

TRAVIS BATTEN,

Plaintiff,

vs.

STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY; ILLINOIS
NATIONAL INSURANCE COMPANY and
COUNTRY PREFERRED INSURANCE
COMPANY,

Defendants.

Case No. 18 CV 10107

NOTICE OF INTENT TO APPLY FOR
DEFAULT (ORCP 69)

**TO: Defendant State Farm Mutual Automobile Insurance Company and its attorney,
Ralph C. Spooner**

NOTICE IS HEREBY GIVEN that, based upon ORCP 69, Plaintiff will apply to the
Court for an Order of Default against Defendant, Country Preferred Insurance Company, on
April 30, 2018, which is more than 10 days from the date of this Notice.

DATE: 4/17/18.

BRIAN LAW FIRM LLC



Michael Brian, OSB No. 710309
michael@brianlawfirm.com; fax - 541-770-5560
Attorney for Plaintiff Travis Batten

CERTIFICATE OF SERVICE


I hereby certify that on 4/17/18, I served a true and correct copy of
NOTICE OF INTENT TO APPLY FOR DEFAULT (ORCP 69) by the method indicated
below and addressed to the following person(s):

Donald E. Templeton
Dunn Carney Allen
851 SW 6th Ave., Ste. 1500
Portland, OR 97204
Attorney for Defendant Country Preferred Insurance Company
Ph – 503-224-6440
Fax – 503-224-7324
E-Mail – dtempleton@dunncarney.com

Donald J. Verfurth
Gordon & Rees
701 Fifth Avenue, Ste. 2100
Seattle, WA 98104
Attorney for Illinois National Insurance Company
Ph – 206-695-5100
Fax – 206-689-2822
E-Mail - dverfurth@grsm.com

Ralph C. Spooner
Spooner & Much PC
530 Center St., NE, Ste. 712
Salem, OR 97301
Attorney for State Farm Mutual Automobile Insurance Company
Ph - 503 378-7777
Fax - 503 588-5899
E-Mail - rspooner@smapc.com

____ HAND DELIVERY
____ U.S. MAIL
____ EMAIL
 x FAX


Michael Brian, OSB No. 710309
michael@brianlawfirm.com; fax – 541-770-5560
Attorney for Plaintiff Travis Batten

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MULTNOMAH

TRAVIS BATTEN,

Plaintiff,

vs.

STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY; ILLINOIS
NATIONAL INSURANCE COMPANY and
COUNTRY PREFERRED INSURANCE
COMPANY,

Defendants.

Case No. 18 CV 10107

AMENDED NOTICE OF INTENT TO
APPLY FOR DEFAULT (ORCP 69)

**TO: Defendant State Farm Mutual Automobile Insurance Company and its attorney,
Ralph C. Spooner**

NOTICE IS HEREBY GIVEN that, based upon ORCP 69, Plaintiff will apply to the
Court for an Order of Default against Defendant, State Farm Mutual Automobile Insurance
Company, on April 30, 2018, which is more than 10 days from the date of this Notice.

DATE: 4/17/18.

BRIAN LAW FIRM LLC



Michael Brian, OSB No. 710309
michael@brianlawfirm.com; fax - 541-770-5560
Attorney for Plaintiff Travis Batten

CERTIFICATE OF SERVICE


I hereby certify that on 4/17/18, I served a true and correct copy of
AMENDED NOTICE OF INTENT TO APPLY FOR DEFAULT (ORCP 69) by the
 method indicated below and addressed to the following person(s):

Donald E. Templeton
 Dunn Carney Allen
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____ HAND DELIVERY
 ____ U.S. MAIL
 ____ EMAIL
 X FAX


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